



# Consumer Federation of America

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**Docket No. 98-045N**

FDA/Dockets Management Branch  
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Rockville, MD 20852

**Docket No. 97N-0074**

**Re: President's Food Safety Council: Notice of Meeting;  
*Federal Register*, Vol. 64, No. 240 (December 15, 1999), pp. 70168-70171**

The following material constitutes the comments of Consumer Federation of America and Consumers Union on the Draft Preliminary Food Safety Strategic Plan developed by the President's Council on Food Safety (the Council). Consumer Federation of America, founded in 1968, is the nation's largest consumer organization.. It is composed of some 250 member organizations, including local, state and national consumer groups, consumer cooperatives, senior citizen organizations and trade unions. CFA's Food Policy Institute serves as the secretariat for the Safe Food Coalition and CFA staff has been actively involved in developing and shaping food safety policy for over two decades. Consumers Union is the publisher of Consumer Reports Magazine. Both Consumers Union and the Center for Science in the Public Interest are members of CFA. We work together on many issues related to food safety policy, including this one.

CFA and CU wish to be recorded as endorsing the comments filed by the Center For Science in the Public Interest. The following comment should be viewed as additional.

The request for comments asks several questions, cross-cutting and specific. We will address some of those.

IS THE OVERARCHING GOAL AND OVERALL FRAMEWORK WELL FOCUSED AND COMPREHENSIVE? WHAT MODIFICATIONS WOULD YOU SUGGEST?

FRAMEWORK: The draft plan shows the commitment and effort that the Council and its work groups have invested in it. The revisions in the framework to focus on three major activities: risk assessment, risk management, and risk communication are important and useful.

## VISION STATEMENT

The statement as written has been misinterpreted. Many people already believe that consumers should be confident, but the system has failed to justify confidence. better to state the government's commitment to public health immediately. We suggest that the Vision Statement begin with the sentence:

**Our food safety system will justify consumer confidence that food is safe.**

As noted by S.T.O.P. in their comments, the last sentence could be interpreted as shifting responsibility from producers, processors, retailers and government to the consumer. It may be useful to change the last sentence to state,

**Because each element of the food system understands and fulfills its responsibilities, consumers can be assured the food they receive is safe.**

Later in the document, the statement appears, "Our goal is to make the food supply even safer.. ." However, the vision statement does not say that. It should.

## OVERARCHING GOAL

The draft plan proposes

"To protect public health by significantly reducing the prevalence of food-borne hazards, thereby reducing acute and chronic illnesses and injuries through science-based and coordinated regulation, inspection, enforcement, research, and education programs."

That goal will not justify consumer confidence that food is safe. Either the Vision Statement must be more modest or the goal statement must be more assertive. We recommend:

**Overarching Goal**

**To protect public health by reducing food-borne hazards to a negligible level**

**QUESTIONS REGARDING EACH DRAFT GOAL**

The government requests that those who comment answer several questions with regard to each draft goal, objective and action item.

Our response is that the Council has failed to consider and include in this draft the basic challenges and recommendations made in the National Academy of Sciences report, "Ensuring Safe Food from Production to Consumption" and the specific directions given the Council by the President.

The Council asks "Are there organizational, statutory, or other changes that you suggest we consider.. ..How would these changes promote public **health**...what barriers would have to be addressed?

The NAS report was issued 18 months ago, the President responded to it one year ago and the Council issued its first effort on a strategic plan several months ago. The NAS report gave a detailed list of organization gaps and overlaps, described why these result in increased food-borne illness and recommended that:

The nation's food safety system should be based on science and able to apply resources where the risk is greatest

Congress should establish a "unified and central framework for managing federal food safety programs, headed by a single federal official who has both the authority and control of resources necessary to manage food safety efforts."

Congress should change federal statutes so that inspection, research and enforcement are based on scientifically supportable assessments of risk.

A comprehensive national food safety plan should be developed.

Finally, the Committee noted that ad hoc efforts "will not suffice to bring about the vast cultural changes and collaborative efforts needed to create an integrated system."

The Council has not, after 18 months, addressed those issues, but comes to the public and requests that we restate the problems described by the NAS and the way to address them, also described at least in part by the NAS..

We urge that the food safety system do as NAS recommended "apply resources where the risk is greatest." That requires statutory changes. The draft strategic plan does not suggest any statutory changes. Although Congress would have to make the changes, the Council has had more than enough time to list what statutory changes are necessary. It does not list one and the nature of the questions accompanying the draft plan indicate that the Council may believe no changes are necessary.

The draft plan does not address the NAS recommendation for a single federal official who has both authority and control of resources necessary to manage food safety efforts." It does offer some options, largely a restatement of those listed by the NAS. The Council has failed to advocate one of those options. Therefore, what is described as a strategic plan is nothing more than an options paper.

The draft plan relies on "improved coordination" as a substitute for the hard tasks required to meet the NAS recommendations for statutory and structural change. The NAS report and numerous other papers document the failure of coordination among agencies. Coordinated and unified are not synonyms. Unify means consolidate, unite, join, combine. Coordinate means arrange.

A strategic plan is not an adequate substitute for organizational structure. The Plan seems to assume that existing law will govern all food safety activity under the plan.

One year ago, the President directed the Council to develop measurable goals and outcomes. This paper commits to none. It does not set priorities among the objectives and action items, does not provide timetables for achieving each priority, does not estimate the funding necessary to meet each objective and, does not address the steps to be taken to achieve the funding. Given the federal budget system, it is hard to consider an effort to be serious when funding mechanisms are not addressed.

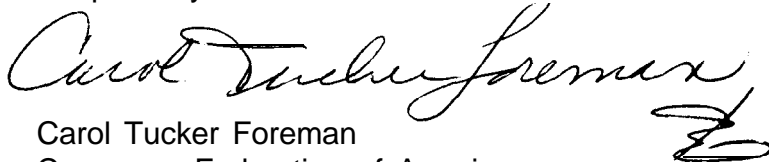
The draft plan does not specifically state even one activity now being conducted that would be performed differently after adoption of the plan.

At this point in its development, the draft plan demonstrates a lack of discipline on the part of the drafters. The federal officials involved have not forced themselves to deal with the hard issues listed above.

This process began over two years ago when the Congress allocated funds for the NAS study. The Administration has made food safety a priority and devoted resources to it. The President has directed the Council to respond to the NAS and the problems it has identified. Now the Clinton-Gore Administration has only another seven months to meet the commitments made.

There is still time to write an appropriate plan that addresses the hard institutional issues in the nation's food safety system. If a final plan emerges next summer without specific responses to the NAS recommendations then the Administration's efforts to in this field will be deemed a failure. It may well be that, in a struggle between the institutional forces resisting change and a White House which says it wants a coherent, unified and effective system, the Clinton-Gore Administration will lose.

Respectfully submitted

A handwritten signature in cursive script that reads "Carol Tucker Foreman". To the right of the signature is a small, stylized flourish or mark.

Carol Tucker Foreman  
Consumer Federation of America

A handwritten signature in cursive script that reads "Mark Silbergeld". To the right of the signature is a small, stylized mark that appears to be "MG".

Mark Silbergeld  
Consumers Union